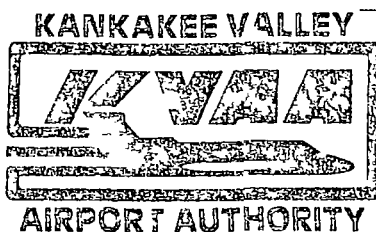


RECEIVED

MAY 01 1985

ILL EPA - DLPC
STATE OF ILLINOIS



GREATER KANKAKEE AIRPORT

R R 1 Box 168 • Kankakee Illinois 60901 • 815 939 1422

May 2, 1985

RECEIVED

ILL EPA - DLPC
STATE OF ILLINOIS

Mr. Major Hearn
Regional Coordinator
Illinois Environmental Protection Agency
Maywood, Illinois 60153

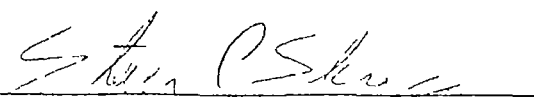
Dear Mr. Hearn

Enclosed for your review is a recent letter transmitted to Mr. Stephen Benoit in response to his April 24, 1985 loading of an agricultural chemical product into his aircraft outside of the designated crop sprayer location. Also, enclosed are your agency's remarks pertaining to the necessity for the isolation of this type of activity from normal non-commercial aircraft operations areas and an apparent approval of the location from which the Rusk and Russell Custom Crop Spray businesses are conducted.

Previous to this incident, Mr. Benoit was informed that any handling of agricultural products should be accomplished in this designated area, however, the Airport Authority's request has gone unheeded.

Since the Agency's interest in the airport in the past year and the Authority's increased awareness of its own accountability, we would hope that you would support our position in this matter and provide us with additional supportive recommendations.

Sincerely,
KANKAKEE VALLEY AIRPORT AUTHORITY


Steven C. Skorepa, Airport Manager

SCS/vao

Enclosures

EPA Region 5 Records Ctr



343721



GREATER KANKAKEE AIRPORT

R R 1 Box 168 • Kankakee Illinois 60901 • 815 939 1422

April 30, 1985

Stephen Benoit
493 Chippewa Drive
Bourbonnais, Illinois 60914

Dear Mr. Benoit

This is to advise you that on April 24, 1985 at approximately 4:15 p.m. you were observed by airport personnel loading an agricultural product into your aircraft in the proximity of the Kankakee Aviation Services office and hangar facility.

You are hereby given notice to cease and desist from any such further handling of agricultural products in other than the designated crop sprayer location.

Enclosed for your review is a previous July 30, 1984 correspondence from the Illinois Environmental Protection Agency (IEPA) to the Airport Authority. As indicated, the IEPA has recommended the isolation of crop sprayer operations from normal aircraft operations areas, and has approved of the location currently in use by the Rusk and Russell Custom Spray businesses.

The Authority has been charged with the responsibility to ensure and maintain that all such agricultural operations adhere to those sections of the Environmental Protection Act and Illinois Pollution Control Board Rules and Regulations as cited within the enclosed document.

In conclusion, the IEPA has clearly pointed out to the Authority, that in addition to the operator of such an activity, the Airport Authority shall be held responsible for causing and/or allowing violations of the above mentioned Act. However, the Authority would be within its rights to hold you and your supplier responsible for any penalties suffered by the Authority as a result of your mishandling of agricultural products on airport property.

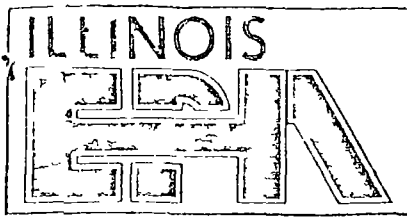
Sincerely,
KANKAKEE VALLEY AIRPORT AUTHORITY

Robert B. Glade, Chairman

RBG/scs/vao

Enclosure

cc Joseph Yurgine
Major Hearn
Donald Schaefer



Environmental Protection Agency

1701 First Avenue, Maywood, IL. 60153

312/315-9780

July 30, 1984

Mr. Bol Glade, Chairman
Kankakee Valley Airport Authority
Greater Kankakee Airport
Route 1, Box 168
Kankakee, Illinois 60901

Dear Mr. Glade:

On May 17, 1984, Jay Patel, Jim Wiggins and A. G. Taylor, representing this Agency, visited the Greater Kankakee Airport at your request to survey the aerial applicator operations based at the airport. The courtesy shown to the Agency representatives during the visit is appreciated.

One of your primary concerns was the location of the Benoit Crop Spraying service in the hangars used mainly for airplane storage by private and corporate entities. Without the benefit of having access to the Benoit facility our representatives could not determine if this operation was in violation of environmental regulations or causing any environmental problems. However, based on our experiences with other types of agricultural facilities, we would recommend that such an operation be isolated from the non-commercial storage area as are the Rusk and Russell Custom Spray businesses.

The inspection of sites managed by Rusk Crop Spraying and Russell Aviation revealed that there did appear to be violations of the following sections of the Environmental Protection Act and Illinois Pollution Control Board Rules and Regulations:

Ill. Rev. Stat. 1983, Ch. 111 1/2, par. 9

No person shall

a.

Cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Board under this Act,

(c) Cause or allow the open burning of refuse, conduct any salvage operation by open burning, or cause or allow the burning of any refuse in any chamber not specifically designed for the purpose and approved by the Agency pursuant to regulations adopted by the Board under this Act, except that the Board may adopt regulations permitting open burning of refuse in certain cases upon a finding that no harm will result from such burning, or that any alternative method of disposing of such refuse would create a safety hazard so extreme as to justify the pollution that would result from such burning

Ill Rev Stat 1983, Ch 111 1/2 par 12

No person shall

(a) Cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act,

(b) Construct, install, or operate any equipment facility, vessel, or aircraft capable of causing or contributing to water pollution, or designed to prevent water pollution, of any type designated by Board regulations, without a permit granted by the Agency, or in violation of any conditions imposed by such permit,

(d) Deposit any contaminants upon the land in such place and manner so as to create a water pollution hazard,

(f) Cause, threaten or allow the discharge of any contaminant into the waters of the State, as defined herein, including but not limited to, waters to any sewage works, or into any well or from any point source within the State, without an NPDES permit for point source discharges issued by the Agency under Section 39(b) of this Act, or in violation of any term or condition imposed by such permit, or in violation of any NPDES permit filing requirement established under Section 39(b), or in violation of any regulations adopted by the Board or of any order adopted by the Board with respect to the NPDES program

* 75 Ill Adm Code 306 107(b)

Spills All reasonable measures, including where appropriate the provision of catchment areas, relief vessels, or entrapment dikes, shall be taken to prevent any spillage of contaminants from causing water pollution

In order to prevent any future water, air, or land pollution problems, we request the following actions

- 1 Discontinue all open burning of commercial wastes. Pesticide containers should be emptied and triple rinsed using the rinsate as part of the spray solution. The containers can then be mixed with other general refuse generated at the site and taken to a licensed sanitary landfill.
- 2 The large chemical containers storing pesticides, fertilizers, and crop oils should be protected by a dike or other structures capable of containing the contents of the stored materials in the event of a spill.
- 3 An impermeable, zero discharge, wastewater collection system should be operated at both the Rusk and Russell sites. If Rusk Crop Spraying wishes to continue using their buried concrete tank as part of this system, they should have the tank tested for possible leaks, and they must apply for an Agency permit to operate. Any newly installed treatment works will also require an Agency construction and operation permit.
- 4 Rinsewater and spilled solutions collected by the system should be stored, preferably in above ground tanks, until the materials can be used as part of a spray solution or treated by some means such as evaporation.

Interviews with Mr. Howard Wheeler and Mr. Joe Russell disclosed two other matters of concern. A polluted discharge to the drainage ditch at the northwest corner of the Russell site, which appears to originate from an underground tile system, was described verbally and illustrated with photographs. Also, it was stated that in past years pesticide wastes were disposed of in the old farmstead foundation where the Rusk Crop Spraying office trailer is now located. Burned vegetation was observed around the discharge point of a clay tile which appeared to lead away from the old foundation.

The statements of Mr. Wheeler and Mr. Russell indicate in the situations described above there are potential violations of the following sections of the Environmental Protection Act

Ill. Rev. Stat. 1983 Ch. 111 1/2, par 12

No person shall

- (a) Cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act
- (d) Deposit any contaminants upon the land in such place and manner so as to create a water pollution hazard,
- (f) Cause or threaten or allow the discharge of a contaminant into the waters of the State, as defined herein, including but not limited to, waters to any sewage works, or into any well or from any point source within the State without an NPDES permit for point source discharges issued by the Agency under Section 39(b) of this Act, or in violation of any term or condition imposed by such permit, or in violation of any NPDES permit filing requirement established under Section 39(b), or in violation of any regulations adopted by the Board or of any order adopted by the Board with respect to the NPDES program

Ill. Rev. Stat. 1983 Ch. 111 1/2 par 21

No person shall

- a Cause or allow the open dumping of any waste
- b Abandon, dump, or deposit any waste upon the public highways or other public property, except in a sanitary landfill approved by the Agency pursuant to regulations adopted by the Board
- d Conduct any waste-treatment, waste-disposal, or special waste-transportation operation

- 1 Without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted thereunder provided, however, that no permit shall be required for any person conducting a waste-storage, waste treatment, waste-disposal, or special waste transportation operation for wastes generated by such person's own activities which are stored, treated, disposed or transported within the site where such wastes are generated or,
- 2 In violation of any regulations or standards adopted by the Board under this Act

This subsection (d) shall not apply to hazardous waste

- e Dispose, treat, or store any waste, or transport any waste into this State for disposal, treatment or storage except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder,

In order to verify the integrity of the underground water supply at the site and ensure that pesticide contaminants are not being discharged via the tile systems identified, we request the following

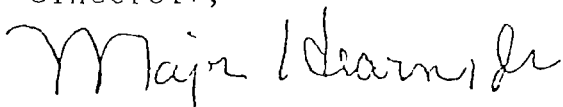
- 1 Locate the tile line that discharges at the northwest corner of the Russell site that apparently runs along the north edge of the Russell Aviation loadout area and the bituminous pad installed by Rusk Crop Spraying. Random soil samples should be collected along the tile system at various depths down to the level of the tile
- 2 A similar soil sample should be taken at graduated levels to a depth of six feet from the disintegrated section of the bituminous pad just south of the buried concrete tank operated by Rusk Crop Spraying

- 3 Soil samples should be collected at the old farmstead site at various depths down to the lowest level of the foundation both within the foundation and at three points around the perimeter of the foundation.
- 4 Water samples should be collected from the well supply on the Russell Aviation site
- 5 Water samples should be taken from the flow in the tile running along the north edge of the Russell Aviation and Rusk Crop Spraying loadout areas
- 6 All samples collected should be analyzed for total organics and screened for pesticides. A copy of the analyses sheets shall be submitted to this Agency.

As managers of the airport property and operators of the aerial spray services, the Waukegan Valley Airport Authority, Rusk Crop Spraying, and Russell Aviation are mutually responsible for seeing that the requested actions are pursued. A copy of this letter is also being forwarded to Mr. Joe Russell and Mr. Howard Wheeler as a notice of the Agency's findings and expected response. Please advise this Agency in writing within thirty (30) days of your intended plans of action.

If you have any questions contact me at the Maywood Regional Illinois Environmental Protection Agency office

Sincerely,



Major Hearn
Regional Coordinator

MH pgb 1748A

cc I Denning
K Bechely
A G Taylor
B Busch
T Cavanagh
J Patel
J Wiggins
S Levine
M Zamco
S Skorepa
J Russell
H Wheeler
File